

PROPOSED AMENDMENTS TO THE TRICHOMONIASIS ARM 32.2.212 and
32.2.501 SUMMARY OF CHANGES MAY 12, 2009

- 32.3.212 Imports Include CSS certified Bull Studs for import test exemption as they will test weekly for 6 weeks if the bull is becoming a resident and at least once if it is there short term. No female cattle are kept at the bull studs.
- Add the requirement that if bulls are exempted from testing for import and breach a fence and commingles with other Bovine that they owner shall bear all testing costs.
- 32.3.501 Trich Rule Definitions: Added many to clarify the program to aid in enforcement and the epidemiological investigation.
- Requesting mandatory use of the MT Tric eartag; suggesting that the department may have to pay for them like in New Mexico.
- Eliminate veterinary clinic testing for bulls sold, loaned or leased, but continue to use this test as a diagnostic tool for herd health management.
- 32.3.502 Clarified the testing and certification program requirements.
- 32.3.505 Added language to aid in the control and prevention of the disease spread in which details the disposition of animals in a positive herd, including females.
- 32.3.506 Epidemiological Investigation and Exposed Herd Notification: Adds language to allow owners whose fence has been breached by another bovine to request testing at the expense of the offending bovine owner.
- Adds new section: Public grazing and grazing associations to require annual testing prior to turn out.

ADMINISTRATIVE RULES OF MONTANA-3/31/2007
DISEASE CONTROL 32.3.201

Subchapter 2

Importation of Animals and Semen Into Montana

32.3.201 DEFINITIONS (1) In this subchapter:

(a) "Dairy cattle" means cattle of dairy breeds or dairy types that may at some time be used for the production of milk or milk products for human consumption.

(b) "Dairy Goats" means goats of dairy breeds or dairy types that may at some time be used for the production of milk or milk products for human consumption.

(c) "Livestock" means cattle, horses, mules, asses, sheep, swine, goats, bison, llamas, and ratites.

(d) "Animals" means livestock, dogs, cats, rabbits, rodents, game animals, furbearing and wild mammals, poultry, and other birds.

(e) "Poultry" means domesticated birds including, but not limited to, chickens, turkeys, ducks, geese, guinea fowl, pigeons, and pheasants.

(f) "Health certificate" means a legible record written on an official health certificate form of the state of origin or an equivalent form of the U.S. Department of Agriculture attesting that the animals described thereon have been visually inspected and found to meet the entry requirements of the state of Montana. In addition the health certificate shall conform to the requirements of ARM 32.3.206.

(g) "Permit" means an official document issued by the Montana Department of Livestock after proper application which allows the movement of animals, or, biologics into Montana. In addition, the permit shall conform to the requirements of ARM 32.3.207.

(h) "Virgin bull" means a sexually intact male bovine less than 12 months of age or a sexually intact male bovine 12 to 24 months of age that is accompanied by a signed affidavit from the owner or manager as having had no potential breeding contact with sexually intact female cattle. (History: 81-2-102, 81-2-103, 81-20-101, MCA; IMP, 81-2-102, 81-2-103, 81-20-101, MCA; Eff. 12/31/72; AMD, Eff. 11/4/75; AMD, Eff. 6/5/76; AMD, Eff. 5/5/77; AMD, 1977 MAR p. 962, Eff. 11/26/77; EMERG, AMD, 1/20/78; 1978 MAR p. 579, Eff. 4/25/78; AMD, 1978 MAR p. 1179, Eff. 8/11/78; AMD, 1979 MAR p. 844, Eff. 8/17/79; AMD, 1980 MAR p. 1713, Eff. 6/27/80; AMD, 1990 MAR p. 300, Eff. 2/9/90; AMD, 1996 MAR p. 2300, Eff. 8/23/96; AMD, 2007 MAR p. 204, Eff. 2/9/07.)

Subchapter 5

Trichomoniasis

32.3.212 ADDITIONAL REQUIREMENTS FOR CATTLE

(1) Except as provided in (a), (b), (c) and (d) no female cattle over the age of four months may be imported into the state of Montana for any purpose other than immediate slaughter unless they are officially vaccinated, by a licensed veterinarian approved in his or her state to administer the vaccination, with a *Brucella abortus* vaccine approved by the Veterinary Biologics Division, U.S. Department of Agriculture except as follows:

(a) cattle being transported or moved through Montana with no intent to unload in the state are exempt from this section. In an emergency situation, they may be unloaded in compliance with quarantine rules promulgated by the Department of Livestock under [81-2-102](#), MCA.

(b) spayed cattle;

(c) nonvaccinated cattle less than 11 months of age placed under a hold order for brucellosis vaccination or spaying within 30 days of arrival; and

(d) nonvaccinated cattle from those class free states or areas designated by the Board of Livestock.

(2) All sexually intact male cattle entering Montana must meet the Trichomoniasis testing and certification requirements set forth in ARM [32.3.502](#), except as provided below:

(a) those being transported through Montana with no intent to unload in the state. In an emergency situation, the cattle may be unloaded in compliance with quarantine rules promulgated by the department at ARM [32.3.106](#) through [32.3.111](#);

(b) those consigned directly to a licensed slaughtering establishment or to a licensed livestock market and then directly to a licensed slaughtering establishment;

(c) those consigned directly to a feedlot approved by the state veterinarian and then directly to either a licensed slaughtering establishment or to a licensed livestock market and then directly to a licensed slaughtering establishment;

(d) virgin bull;

(e) those imported for exhibition or rodeo purposes and held in confined facilities; and will not be used for semen collection or natural breeding

(f) those imported to a CSS certified Bull Stud or its equivalent (32.3.220)

(g) those imported as part of state veterinarian approved seasonal grazing operations without changing ownership, following a risk assessment. Sexually intact male cattle imported as part of state veterinarian approved seasonal grazing operations may be subject to herd specific testing and certification requirements as determined by the state veterinarian.

(h) any Trichomoniasis Test Eligible Bovine used for sporting or exhibition purposes that breaches a fence and commingles with other Bovine shall be tested for Trichomoniasis. The owner of the trespassing Bovine shall bear all costs for the requested test; and

(i) any Trichomoniasis Test Eligible Bull that remains in Montana for breeding purposes, change of ownership or grazing must adhere to the conditions in ARM 32.3.502

(3) All cattle imported into Montana must meet the interstate requirements as set forth in Title 9 CFR.

History: [81-2-102](#), [81-2-103](#), [81-2-707](#), MCA; [IMP](#) , [81-2-102](#), [81-2-703](#), MCA; Eff. 12/31/72; [AMD](#) , Eff. 11/4/75; [AMD](#) , Eff. 6/5/76; [AMD](#) , Eff. 5/5/77; [AMD](#) , 1977 MAR p. 962, Eff. 11/26/77; EMERG, [AMD](#) , 1/20/78; [AMD](#) , 1978 MAR p. 579, Eff. 4/25/78; [AMD](#) , 1978 MAR p. 1179, Eff. 8/11/78; [AMD](#) , 1979 MAR p. 844, Eff. 8/17/79; [AMD](#) , 1980 MAR p. 1713, Eff. 6/27/80; [AMD](#) , 1982 MAR p. 604, Eff. 3/26/82; [AMD](#) , 1984 MAR p. 267, Eff. 1/27/84; [AMD](#) , 1986 MAR p. 794, Eff. 5/16/86; [AMD](#) , 1996 MAR p. 2300, Eff. 8/23/96; [AMD](#) , 1998 MAR p. 656, Eff. 3/13/98; [AMD](#) , 2007 MAR p. 204, Eff. 2/9/07.

32.3.501 DEFINITIONS In this subchapter:

(1) "Acceptable specimen" means a specimen determined to be satisfactory for diagnostic testing by an approved laboratory, including complete documentation which was submitted by a Trichomoniasis Certified Veterinarian.

(2) "Accredited veterinarian" means an individual who is currently licensed to practice veterinary medicine and is accredited by the United States Department of Agriculture, Animal and Plant Health Inspection Service, Veterinary Services in accordance with 9 Code of Federal Regulations § 161 (2008) in the state where that veterinarian practices.

(3) "Approved laboratory" means a laboratory accredited by the American Association of Veterinary Laboratory Diagnosticians (AAVLD) or a laboratory approved by the state veterinarian to identify *Tritrichomonas foetus*.

(4) "Approved livestock market" means a livestock market that is licensed by the Montana Department of Livestock.

(5) "Board" means the Montana Board of Livestock

(6) "Bovine" means any sexually intact male and female animal of the genus *Bos*.

(7) "Certificate of Veterinary Inspection" (CVI) means the form issued by the state of origin that records the consignor, consignee, identity, origin, destination and health status of animals, issued by an accredited veterinarian of that state. It is commonly known as a health certificate.

(8) "Commingle" means animals of opposite sex and belonging to the same or different owners in the same enclosure or pasture with a reasonable opportunity for sexual contact.

(9) "Complete herd test"- means an official T. foetus test from each non-virgin bull in the herd.

(10) "Direct to a licensed slaughter establishment" means transporting an animal to a state or federally licensed slaughter plant without unloading prior to arrival at the slaughter plant.

(11) "Epidemiological investigation" means the scientific investigation conducted to determine the population of cattle or cattle herds that may be affected with or exposed to Trichomoniasis.

(12)"Exposed herd notification" means owners or managers of exposed herds have been notified by the Department of Livestock or its agent that the owner's herd may have been exposed to a test positive animal or test positive herd.

((13)"Exposed herds" means cattle herds that have, within the previous twelve months, had direct commingling or cross-fence contact with a test positive animal or a test positive herd during the time of potential breeding activity.

(14)"Herd" means a group or groups of sexually intact cattle 12 months of age or older under common ownership or supervision that have commingled during the previous 12 months.

(15)"Hold order" means a restriction placed on test positive animals, test positive herds, or exposed herds prohibiting their movement from a premises or a portion of a premises to minimize exposure to other animals or herds.

(16) "Import permit" means a document issued by the State Veterinarian's office authorizing specific livestock movements into Montana. Permits expire 10 days after issuance and are not transferable.

(17)"Individual Trichomoniasis identification" means a Montana Official Trichomoniasis Tag in the right ear, an official United States Department of Agriculture (USDA) eartag, a unique breed registry tattoo, , or any other means of permanent identification approved by the state veterinarian., placed in ear at the first test.

(18) "Licensed Trichomoniasis approved feedlot" means any facility which is licensed, annually, by the state veterinarian's office where:

- a. all animals must be individually identified
- b. there will be no co-mingling of male and female cattle
- c. no animals entering the feedlot will be allowed back into the Montana breeding herd.
- d. all T. fetus positive animals must be kept for a minimum of 30 days before being sold directly to slaughter or through an approved licensed market and then to slaughter, or to out of state.
- e. all T. fetus positive animals will be branded with a "V" on the right tailhead.
- f. all feedlots are subject to inspection,
- g. bulls may be castrated at any time by a licensed veterinarian.

(19)"Official Trichomoniasis test" means the sampling procedure conducted by a licensed veterinarian of the preputial content of a sexually intact male bovine and submitted to an approved laboratory. to identify Tritrichomonas fetus by in vitro cultivation, PCR testing, or other test approved by the state veterinarian.(20) "Official Trichomoniasis retest" means an official Trichomoniasis test conducted at least seven (7) days, but not more than twenty-one (21) days, after any previous official Trichomoniasis test.

(21) "Quarantine" means movement restriction issued by a licensed veterinarian or an agent of the department that shall be placed on all cattle in a positive T. fetus herd. Such restriction shall specify the identity of the animals and the premises where the animals shall be confined per ARM 32.3.108

(22) "Quarantine release" means that a herd has completed all regulatory requirements to eliminate T. foetus infection in that herd and is no longer classified a positive herd

(23) "Negative T. foetus bull" means a bull which qualifies by one of the following:

a. originate from a herd not known to be infected and has had a negative official T. foetus bull test within the last year.

b. originate from a positive herd, but has a series of three negative official T. foetus bull tests at intervals of at least one week (7 days) or

c. has a negative import bull test

(24) "Premises" means the ground, area, building and/or equipment occupied by one or more Bovine.

(25) "Seasonal grazing permit" means a permit issued by the Montana State Veterinarian's office to Montana livestock producers who utilize pasture lands and other livestock operations in one or multiple states that are contiguous with Montana.

(26) "Test eligible bull" is a non-virgin bull 12 months of age or older, or a virgin bull over 24 months of age.

((27)"Test positive animal" means an animal in which an approved Trichomoniasis laboratory has identified Tritrichomonas foetus by an official Trichomoniasis test.(_(28) "Test positive herd" means a herd of cattle in which a

licensed veterinarian or an approved laboratory has identified Tritrichomonas foetus in one or more animals by an official Trichomoniasis test.(29) "Trichomoniasis" means a sexually transmitted disease of cattle caused by the protozoan organism Tritrichomonas (Trichomonas) foetus(T. foetus) that causes infertility, pyometra, abortions, and reproductive inefficiency in female bovine. (History: [81-2-102](#), [81-2-103](#), MCA; [IMP](#), [81-2-102](#), MCA; [NEW](#), 2007 MAR p. 204, Eff. 2/9/07.)

(30)"Trichomoniasis Certified Veterinarian" means an accredited veterinarian who as attended Trichomoniasis training and has been certified by the Montana State Veterinarian and are able to provide an acceptable specimen to the approved laboratory.

(31) "Unacceptable sample" means a sample that is deemed not diagnostic by an approved laboratory.

(32) "V Brand" means a 2"X3" hot iron single "V" character brand applied to the right tail-head of a bovine signifying that the Bovine is infected (or test positive?) with the venereal disease, Trichomoniasis (applied within 14 days of diagnosis)

(33) "Virgin bull" means a sexually intact male bovine less than 12 months of age or a sexually intact male bovine 12 to 24 months of age that is accompanied by a signed affidavit from the owner or manager as having had no potential breeding contact with sexually intact female cattle.

[32.3.502](#) OFFICIAL TRICHOMONIASIS TESTING AND CERTIFICATION REQUIREMENTS (1) The following official Trichomoniasis testing and certification requirements apply to all non-virgin, sexually intact male cattle

imported into Montana or sold, loaned, or leased, or otherwise acquired in Montana, except as provided in ARM [32.3.212](#):

(a) Non-virgin male Bovine must be negative to one official PCR test, or to three official Trichomoniasis culture tests. For the culture tests;

(i) The tests must be conducted at intervals of no less than seven days between each test;

(ii) There must be no breeding activity during the intervals between the three tests or between the final of the three negative tests and the time of import, sale, loan, or lease; and

(iii) All tested male cattle must be individually identified at the time of test;

(b) The following statement must be on the certificate of veterinary inspection: "The bull(s) identified on this certificate were negative to T. foetus in accordance with ARM 32.3.502. There was no breeding activity between the final test and time of import, sale, loan, or lease in Montana."

(c) Tests expire within 30 days or immediately upon commingling with female bovines.

(d) Test eligible bulls sold, loaned or leased without a negative test are consider positive and must be disposed of per 32.3.505(4)(a)(b)(c) (History: [81-2-102](#), [81-2-103](#), [81-2-707](#), MCA; [IMP](#), [81-2-102](#), [81-2-703](#), MCA; [NEW](#), 2007 MAR p. 204, Eff. 2/9/07.)

32.3.503 REPORTING TRICHOMONIASIS (1) All approved laboratories and all Trichomoniasis Certified Montana veterinarians conducting Trichomoniasis testing of cattle in Montana shall report test positive animals to the department within one working day of such test or diagnosis.

(2) Test negative animals shall be reported on a weekly basis to the State Veterinarian's office, which includes the names of the Trichomoniasis Certified Veterinarian and owner, date tested, animal identification, type of test and the name of the approved laboratory.

(3) All Montana deputy veterinarians must be certified by the state veterinarian's office to conduct Trichomoniasis testing in accordance with 32.3.502(History: [81-2-102](#), [81-2-103](#), MCA; [IMP](#), [81-2-102](#), [81-2-107](#), MCA; [NEW](#), 2007 MAR p. 204, Eff. 2/9/07.)

32.3.504 CONFIRMATORY TESTING OF TEST POSITIVE ANIMALS

(1) The Department of Livestock may require or recommend a retest or supplemental testing of test positive animals to confirm infection. (History: [81-2-102](#), [81-2-103](#), MCA; [IMP](#), [81-2-102](#), MCA; [NEW](#), 2007 MAR p. 204, Eff. 2/9/07.)

32.3.505 DISPOSITION OF TEST POSITIVE ANIMALS (1) Test positive animals shall be subject to an immediate hold order and shall remain on the premises where the animal was found to be infected, the owner's premise, or another premises approved by the state veterinarian and are subject to the department's general disease control administrative rules.

(2) Test positive animals shall be individually identified with an identification device approved by the state veterinarian.

(3) Test positive animals will be branded with a "V" brand.

(4) Test positive animals shall remain on a hold order until they are:

(a) consigned directly to a licensed slaughtering establishment or slaughtered at home.

(b) consigned directly to a licensed livestock market and then directly to a licensed slaughtering establishment; or

(c) consigned directly to a licensed Trichomoniasis approved feedlot and then directly to a licensed slaughtering establishment.

(4) Test positive herd shall immediately be placed under quarantine and will continue under quarantine until the following rules are completed.

(a) all bulls in a positive T. fetus herd shall individually test negative to three consecutive official T. fetus tests at least one week apart. The initial negative T. fetus test is included in the three negative tests.

(b) females over 12 months of age (not known to be virgin heifers) from a positive T. fetus herd may be sold direct to slaughter, or quarantined on the premises of origin. Individual females will be released from quarantine when there are three consecutive negative T. fetus tests of the entire bull population and the cow(s) has a calf at side (with no exposure to other than known negative T. fetus bulls since parturition) or has documented to be greater than 120 days pregnant by an accredited veterinarian. Heifers known to be virgin at the time of turnout, or heifers exposed only to known negative T. fetus bulls and not yet 120 days pregnant are allowed.

(c) open females shall be sold to slaughter, or held in isolation from all bulls for 120 days. Any female sold to slaughter through a livestock market shall be identified with an official Trichomoniasis identification tag during the quarantine period.

(d) breeding by artificial insemination is allowed during the quarantine period, and cows confirmed by an accredited veterinarian to be at least 120 days pregnant as well as cows documented to have 120 days separation from Test Eligible Bulls will be released from quarantine.

(e) herds having been diagnosed with an official positive Trichomoniasis test must have an annual bull herd test including virgin bulls for the following year.

(History: [81-2-102](#), [81-2-103](#), MCA; IMP, [81-2-102](#), [81-2-108](#), MCA; NEW, 2007 MAR p. 204, Eff. 2/9/07.)

32.3.506 EPIDEMIOLOGICAL INVESTIGATION AND EXPOSED HERD NOTIFICATION (1) Upon receipt of a report of a test positive animal or a test positive herd, the department shall conduct an epidemiological investigation to identify animals or herds that were potentially exposed to a test positive animal or a test positive herd.

(2) Upon completion of the epidemiological investigation, the department or its agent shall issue an exposed herd notification notifying all owners or managers of likely exposed herds that the herd may have been exposed to a test

positive animal or test positive herd. The department will provide owners of exposed herds with educational materials pertaining to Trichomoniasis, including detection, prevention, control, eradication, and management strategies.

(3) Exposed herds may be subject to a hold order and official trichomoniasis testing and certification requirements as set forth in ARM [32.3.502](#). (History: [81-2-102](#), [81-2-103](#), MCA; IMP, [81-2-102](#), [81-2-108](#), MCA; NEW, 2007 MAR p. 204, Eff. 2/9/07.)

NEW SECTION:

PUBLIC GRAZING AND GRAZING ASSOCIATIONS (1) All bulls commingling in grazing associations and/or public lands regardless if private or multiple user permits shall have the Official Trichomoniasis foetus test conducted annually, prior to turn out. Virgin bulls added to a herd are exempt from testing requirements during their first breeding season.

(a) if any bull is found positive, the entire bull population, regardless of owners, will be required to have three consecutive negative weekly tests prior to turn out time. Any stray non-virgin bull from an untested group that enters the grazing area of tested animals may be held under quarantine until the bull has one or more official T. foetus test(s) conducted. The test(s) shall be the responsibility of the bull's owner.

NEW SECTION PENALTIES